

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

2017 FEB 10 PM 1:11

DEPUTY CLERK *ac*

TIMOTHY JOEL FRY

v.

UNITED STATES OF AMERICA

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2:15-CV-0147

**ORDER ADOPTING REPORT AND RECOMMENDATION and
DISMISSING MOTION TO VACATE, SET ASIDE OR CORRECT SENTENCE**

Came for consideration the Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody filed by defendant TIMOTHY JOEL FRY. On January 20, 2017, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that defendant's motion to vacate be dismissed. No objections to the Report and Recommendation have been filed as of this date.

Having made an independent examination of the record in this case and having examined the Report and Recommendation of the Magistrate Judge, the undersigned United States District Judge hereby ADOPTS the Report and Recommendation. Accordingly, the Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody filed by defendant is hereby DISMISSED.

IT IS SO ORDERED.

ENTERED this 10th day of February 2017.

Mary Lou Robinson
MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE